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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/669,759	09/24/2003	David J. Steele	2002-IP-006716 U1 USA	4382

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PLANO, TX 75074

EXAMINER

THOMPSON, KENNETH L

ART UNIT	PAPER NUMBER
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3672

DATE MAILED: 06/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/669,759

Applicant(s)

STEELE, DAVID J.

Examiner

Kenneth Thompson

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-48 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 11-21, 33, 34 and 36-39 is/are allowed.
- 6) ☒ Claim(s) 1, 2, 9, 22, 32, 35 and 40 is/are rejected.
- 7) ☒ Claim(s) 3-8, 10, 23-31 and 41-48 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date: ____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>1Dec03</u> | 6) <input type="checkbox"/> Other: ____ |

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DETAILED ACTION

Drawings

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the fourth bore of the second junction must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Objections

Claim 4 objected to because of the following informalities:

The recitation "tubular strings" in claim 4, line 2 lacks antecedent basis.

The recitation "first, second and third wellbores." in claim 4, lines 3 and 4 lacks antecedent basis. Claims 5-8 depend from claim 4 and are likewise objected to.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 2, and 9, are rejected under 35 U.S.C. 102(b) as being anticipated by Ohmer, U.S. 6,056,059.

Regarding claim 1, Ohmer discloses a wellbore junction system, comprising: a wellbore junction including first, second and third bores (34,36,38), a casing string (connectable at 31) connected to the wellbore junction (32), wherein the wellbore junction has a pressure rating of at least 50% of a pressure rating of the casing string (col. 3, lines 51-55).

As to claim 2, Ohmer discloses the wellbore junction is configured to resist at least 6,000 pounds per square inch differential pressure applied between any two of the first, second and third bores (col. 8, lines 7-16).

As to claim 9, Ohmer discloses in figure 3A first, second and third bores (34,36,38) are radially spaced apart by approximately 120 degrees.

Claims 22, 32, 35 and 40 are rejected under 35 U.S.C. 102(b) as being anticipated by Gardes, U.S. 5,680,901.

Regarding claims 22, 32, 35 and 40, Gardes discloses in figure 5 a installing a wellbore junction (10) in a well, the wellbore junction having a tubular string connection (16), and first (upper section 10), second (middle section 10) and third (lower section 10) bores, inserting one at a time each of first, second and third tubular strings (71) into a respective one of the first, second and third bores; and mechanically securing and sealing (74) each of the first, second and third tubular strings to the respective one of the first, second and third bores.

Allowable Subject Matter

Claims 11-21, 33, 34 and 36-39 are allowed.

Claims 3, 10, 23-31 and 41-48 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 4-8 would be allowable if rewritten to overcome the objections set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

The prior art of record does not disclose or suggest all the claimed subject matter including the wellbore junction is configured to resist at least 6,000 pounds per square inch differential pressure applied between an exterior of the wellbore junction and any of the first, second and third bores.

The prior art of record does not disclose or suggest all the claimed subject matter including the tubular strings providing flowpaths between respective first, second and third wellbores.

The prior art of record does not disclose or suggest all the claimed subject matter including a fourth bore in the second junction.

The prior art of record does not disclose or suggest all the claimed subject matter including a first portion including and first, second and third bores; a second portion having the second and third bores extending therethrough, and a lateral exit of the first bore; and a third portion having the third bore extending therethrough, and a lateral exit of the second bore.

The prior art of record does not disclose or suggest all the claimed subject matter including positioning the junction in an underreamed cavity.

The prior art of record does not disclose or suggest all the claimed subject matter including the wellbore junction having a pressure rating of at least 50% of a pressure rating of a pressure rating of the tubular string

The prior art of record does not disclose or suggest all the claimed subject matter including the wellbore junction resisting at least 6,000 pounds per square inch differential pressure applied between any two of the first, second and third bores.

The prior art of record does not disclose or suggest all the claimed subject matter including the bores being radially spacing apart by approximately 120 degrees

The prior art of record does not disclose or suggest all the claimed subject matter including plugging at least two of the first, second and third bores; and then flowing cement about the wellbore junction.

The prior art of record does not disclose or suggest all the claimed subject matter including each wellbore having at least first, second and third bores formed therein, and the second wellbore junction being smaller in size than the first wellbore junction; and installing the first and second wellbore junctions in a well, the first wellbore junction being positioned in a first

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wellbore portion having a greater inner diameter than a second wellbore portion in which the second wellbore to junction is positioned.

The prior art of record does not disclose or suggest all the claimed subject matter including connecting the wellbore junction to a fourth tubular string.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenneth Thompson whose telephone number is 571 272-7037. The examiner can normally be reached on 7:00 am - 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David J. Bagnell can be reached on 571-272-6999. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


22 June 2005

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